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07 UNITED STATES DISTRICT COURT
08 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

09 UNITED STATES OF AMERICA,)
10) Case No. CR94-0509-MJP
Plaintiff,)
11)
v.) SUMMARY REPORT OF U.S.
12) MAGISTRATE JUDGE AS TO
ALVIN L. GILCRIST,) ALLEGED VIOLATIONS
13) OF SUPERVISED RELEASE
Defendant.)
14 _____)

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16 An evidentiary hearing on a petition for violation of supervised release in this case
17 was scheduled before the undersigned Magistrate Judge on March 27, 2007. The United
18 States was represented by Assistant United States Attorney Mark Bartlett, and the defendant
19 by Ms. Carol Koller. The proceedings were recorded on cassette tape.

20 The defendant had been charged and convicted of Felon in Possession of a Firearm.
21 On or about September 29, 1997, defendant was sentenced by the Honorable William L.
22 Dwyer to forty-one (41) months in custody, with a total of twenty-one (21) months
23 consecutive to his indeterminate state sentence, and twenty (20) months concurrent to his
24 indeterminate state sentence already served, to be followed by three (3) years of supervised
25 release.
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01 The conditions of supervised release included the requirements that the defendant
02 comply with all local, state, and federal laws, and with the standard conditions. Special
03 conditions imposed included, but were not limited to, participation in a substance abuse
04 program, consent to search and seizure, and no possession of firearms.

05 In a Petition for Warrant or Summons dated January 25, 2007, U.S. Probation Officer
06 Angela M. Peru alleged the following violations by defendant of the conditions of his
07 supervised release:

08 (1) Failing to submit to a urine sample as instructed on November 2, 2006, in
09 violation of a general condition.

10 (2) Failing to submit to a urine sample as instructed on January 3, 2007, in
11 violation of a general condition.

12 (3) Failing to submit a complete and truthful monthly report for the month of
13 December 2006 as instructed, in violation of standard condition #2.

14 (4) Failing to notify the probation officer at least 10 days prior to any change in
15 residence, in violation of standard condition #6.

16 (5) Failing to report to the probation office as instructed on January 23, 2007, in
17 violation of standard condition #2.


18 (6) Failing to report to the probation office as instructed on January 24, 2007, in
19 violation of standard condition #2.

20 The defendant was advised of the allegations and of his rights, and admitted to
21 violations number 1, 2, 3, 5, and 6. At the hearing, alleged violation number 4 was dismissed
22 by the government.

23 I therefore recommend that the Court find the defendant to have violated the terms
24 and conditions of his supervised release as to violations 1, 2, 3, 5, and 6, and that the Court
25 conduct a hearing limited to disposition. A disposition hearing has been set before the
26 Honorable Marsha J. Pechman for April 19, 2007, at 1:30 p.m.

01 Pending a final determination by the Court, the defendant has been detained.

02 DATED this 29th day of March, 2007.

03 
04 JAMES P. DONOHUE
05 United States Magistrate Judge
06

07 cc: District Judge: Honorable Marsha J. Pechman
08 AUSA: Mr. Mark Bartlett
09 Defendant's attorney: Ms. Carol Koller
10 Probation officer: Ms. Jennifer Tien
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